

## INTERNATIONAL SEARCH REPORT

PCT/JP 03/08248

**A. CLASSIFICATION OF SUBJECT MATTER**  
IPC 7 A61L27/38

According to International Patent Classification (IPC) or to both national classification and IPC

**B. FIELDS SEARCHED**Minimum documentation searched (classification system followed by classification symbols)  
IPC 7 A61L

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, BIOSIS, WPI Data, MEDLINE, SEQUENCE SEARCH

**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	KAUSHAL SUNJAY ET AL: "Functional small-diameter neovessels created using endothelial progenitor cells expanded ex vivo" NATURE MEDICINE, vol. 7, no. 9, September 2001 (2001-09), pages 1035-1040, XP001156248 ISSN: 1078-8956 the whole document ---	30-53
A	US 5 336 616 A (COLEMAN CHRISTOPHER ET AL) 9 August 1994 (1994-08-09) the whole document ---	30-53
A	US 5 595 571 A (JAFFE NORMAN ET AL) 21 January 1997 (1997-01-21) the whole document ---	30-53
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☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

## \* Special categories of cited documents:

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
- \*E\* earlier document but published on or after the international filing date
- \*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

- \*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- \*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- \*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- \*Z\* document member of the same patent family

Date of the actual completion of the international search

1 December 2003

Date of mailing of the international search report

05/01/2004

Name and mailing address of the ISA

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## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	WO 01 48153 A (CHILDRENS MEDICAL CENTER) 5 July 2001 (2001-07-05) the whole document -----	30-53

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## Box I Observations where certain claims were found unsearchable (Continuation of Item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:
  
2. ☒ Claims Nos.: 1-29, 54-95  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:  
see FURTHER INFORMATION sheet PCT/ISA/210
  
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box II Observations where unity of invention is lacking (Continuation of Item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
  
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
  
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
  
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

### Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

## FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.2

Claims Nos.: 1-29, 54-95

Present claims 1-29, 54-95 relate to a product/compound/method/apparatus defined by reference to a desirable characteristic or property, namely a decellularized tissue having the property of having a survival rate lower than the immune reaction elicited in an organism and being able to carry out its original function despite being decellularized.

The claims cover all products/compounds/methods having this characteristic or property, whereas the application provides support within the meaning of Article 6 PCT and/or disclosure within the meaning of Article 5 PCT for only a very limited number of such products/compounds/methods. In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible. Independent of the above reasoning, the claims also lack clarity (Article 6 PCT). An attempt is made to define the product/compound/method by reference to a result to be achieved. Again, this lack of clarity in the present case is such as to render a meaningful search over the whole of the claimed scope impossible. Consequently, the search has been carried out for those parts of the claims which appear to be clear, supported and disclosed, namely those parts relating to the products/compounds/methods mentioned in claims 30-53 and to the working examples of the description

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

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Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 5336616	A	09-08-1994	AU 668703 B2	16-05-1996
			AU 3293493 A	19-08-1993
			CA 2089336 A1	13-08-1993
			EP 0564786 A2	13-10-1993
			JP 6261933 A	20-09-1994
			US 2003035843 A1	20-02-2003
			AT 164981 T	15-05-1998
			AU 677845 B2	08-05-1997
			AU 6740594 A	22-09-1994
			AU 650045 B2	09-06-1994
			AU 8379791 A	19-03-1992
			CA 2051092 A1	13-03-1992
			DE 69129253 D1	20-05-1998
			DE 69129253 T2	17-12-1998
			EP 0475409 A2	18-03-1992
			ES 2114868 T3	16-06-1998
			JP 3210036 B2	17-09-2001
			JP 5126696 A	21-05-1993
			US 5364756 A	15-11-1994
			US 6194136 B1	27-02-2001
			US 5780295 A	14-07-1998
US 5595571	A	21-01-1997	AT 220929 T	15-08-2002
			AU 3513395 A	10-11-1995
			CA 2188135 A1	26-10-1995
			DE 69527521 D1	29-08-2002
			DE 69527521 T2	08-05-2003
			DK 756498 T3	11-11-2002
			EP 0756498 A1	05-02-1997
			ES 2180653 T3	16-02-2003
			PT 756498 T	31-12-2002
			WO 9528183 A1	26-10-1995
			US 5720777 A	24-02-1998
			US 5843180 A	01-12-1998
			US 5843181 A	01-12-1998
WO 0148153	A	05-07-2001	US 6479064 B1	12-11-2002
			AU 2099901 A	09-07-2001
			CA 2395698 A1	05-07-2001
			EP 1246903 A1	09-10-2002
			JP 2003518517 T	10-06-2003
			WO 0148153 A1	05-07-2001
			US 2003124099 A1	03-07-2003

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